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UNCLAS SECTION 01 OF 03 KUWAIT 000487

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TAGS: [PGOV](#) [PREL](#) [IR](#) [KU](#) [KUWAIT](#) [IRAN](#) [RELATIONS](#)  
NATIONAL ASSEMBLY, ISLAMISTS  
SUBJECT: PARLIAMENT PASSES LAW ENFORCEMENT COOPERATION  
AGREEMENT WITH IRAN, DEFERS ARTICLE 98 AGREEMENT

REF: KUWAIT 4435 AND PREVIOUS

Sensitive But Unclassified; not for Internet distribution.

¶1. (SBU) Summary: On April 3, Parliament ratified 20 international agreements, including a security cooperation agreement with Iran in the field of drug trafficking and law enforcement. However, parliamentarians objected strongly to an Article 98 agreement with the U.S. and referred it to the Ministry of Foreign Affairs for "clarification." Islamist MPs used the opportunity to slam U.S. policies in general, particularly the continued detention of four Kuwaiti citizens at Guantanamo. Independent, tribal Islamist MPs were particularly vitriolic in their criticism, calling the U.S. "the sole source of terror in the world" and urging their fellow parliamentarians to "reject bowing to American wishes since America is biased in favor of Zionism and America's decisions emanate from the Zionist lobby." Although the parameters of the Kuwait-Iran security cooperation agreement were fairly limited, several local press reports portrayed the session as a victory for Iran and a blow to the U.S. End summary.

¶2. (SBU) Parliament ratified 20 international agreements during its April 3 session, some of which had languished on the parliamentary agenda for years. Among the agreements passed was a security cooperation agreement with Iran focused primarily on combating drug trafficking and increasing law enforcement cooperation. According to local press, the agreement, signed between the Interior Ministers of Kuwait and Iran in 2000, is "aimed at boosting the two countries' efforts in fighting drugs and terrorism and calls for the extradition of criminals." Post obtained a copy of the agreement, which outlined areas of cooperation, including preventing naval piracy, smuggling, organized crime, and drug trafficking. Article 6 of the agreement gave either country the right to "abstain from executing any request by the other party if it believes that this request would infringe on its sovereignty or violate its national security or its laws." Parliament also passed legal and judicial cooperation agreements with Iran and several other countries.

¶3. (SBU) Parliament postponed voting on the Article 98 agreement between the U.S. and Kuwait, which would prevent American citizens in Kuwait from being tried by the International Criminal Court (reftel). The agreement was referred to the Ministry of Foreign Affairs for "clarification." During the debate on the issue, few parliamentarians seemed to understand the details of the agreement. Instead, Islamist parliamentarians used the opportunity to slam U.S. policies in general. Shi'a MP Adnan Abdul Samad, a member of the conservative, Iran-leaning Shi'a political association, the National Islamic Alliance (NIA), noted that the U.S. was not party to the Rome Statute,

through which the ICC was created, and argued that the Article 98 agreement "only serves the U.S." and would cause Kuwait to violate its ICC obligations.

¶4. (SBU) Salafi MP Waleed Al-Tabtabaei claimed some Kuwaitis in the U.S. were subject to "tough measures," while Americans in Kuwait were "treated like masters." "We respect the role played by the United States in the liberation of Kuwait, but nobody should be above the law," he said. Al-Tabtabaei also noted that Kuwaiti citizens were still being detained at Guantanamo, where he claimed they were subjected to torture, citing several recent interviews by local press of former Kuwaiti Guantanamo detainees. Even liberal MP Mohammed Jassem Al-Sager, the Chairman of the Foreign Affairs Committee, which previously approved the agreement, said his committee agreed that it should be "withdrawn until we have representatives from the Foreign Ministry explain to us the details of the agreement."

¶5. (SBU) Independent, tribal Islamist MPs were particularly vitriolic in their criticism. MP Abdullah Akkash, from the Mutran tribe, accused the U.S. of being "the sole source of terror in the world" and trying to "weaken Muslim peoples and countries." "The U.S. is exerting pressure on other countries to achieve its goals," he added. "Kuwait should never bow to the wishes of America." Another independent Islamist MP, Khaled Al-Adwa, from the Ajman tribe, similarly slammed the U.S. "There should be a voice in Parliament that would say to America, particularly the ruling junta, 'No!' Our sons are detained in Guantanamo and the most horrible means of torture are used against them. The world is sick of savage American hegemony. America should respect the people of the Arabian Gulf....We should reject bowing to American wishes since America is biased in favor of Zionism and

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America's decisions emanate from the Zionist lobby." He finished his rant by predicting the Article 98 agreement would be rejected when it eventually came to a vote in Parliament.

¶6. (SBU) Some local press portrayed Parliament's actions as a victory for Iran and a blow to the U.S. On April 4, the Kuwait Times (local English daily) ran a front-page article on the session under the headline "MPs court Iran, blast US double-standards: Assembly ratifies Iran security pact, rejects US ICC deal." Articles in local Arabic press were not as prominent, but reported the session in a similar vein, such as one article under the headline "Ferocious Islamic onslaught obstructs the ratification of defendants' exchange agreement between Kuwait and the United States." The Arab Times' (local English daily) coverage was less provocative, running an article on the second page under the headline "MPs see Iran as 'main source' of drugs, arms smuggled into Kuwait." The front page was dominated by an article titled "US to attack Iran by end April" (septel).

¶7. (SBU) The 20 agreements ratified by Parliament were:

Bilateral Agreements:

-- Kuwait-Algeria: Agreement on avoiding double taxation and prohibiting income tax evasion.

-- Kuwait-India: Agreement on avoiding double taxation and prohibiting income tax evasion.

-- Kuwait-India: Agreement on judicial and legal cooperation related to extradition of criminals.

-- Kuwait-India: Agreement on legal assistance on questions related to criminal prosecution.

-- Kuwait-India: Agreement on legal and judicial cooperation on civil and commercial questions.

-- Kuwait-Iran: Agreement on security cooperation in the field of drug trafficking and law enforcement.

-- Kuwait-Iran: Agreement on legal and judicial cooperation in the areas of civil, commercial, criminal, and personal status articles.

-- Kuwait-South Africa: Agreement on encouraging and protecting investments.

-- Kuwait-South Korea: Agreement on encouraging and protecting investments.

-- Kuwait-Spain: Agreement on encouraging and protecting investments.

-- Kuwait-Uzbekistan: Agreement on combating crime.

-- Kuwait-Zimbabwe: Bilateral agreement on avoiding double taxation and prohibiting income and capital tax evasion.

International Agreements:

-- Draft law approving Kuwait's acceptance of the International Telecommunications Union approved in Marrakech, Morocco in 2002.

-- Draft law approving Kuwait's acceptance of the protocol on combating the manufacture and illegal trade of fire arms, fire arm components, and ammunition supplementing the UN Agreement on Combating Transnational Organized Crime.

-- Draft law approving Kuwait's acceptance of the International Agreement on Prohibition of Pollution from ships for the year 1973.

-- Draft law approving Kuwait's agreement to ban the use, production, storage, or transportation of anti-personnel mines.

-- Draft law approving Kuwait's acceptance of the Beijing 1999 amendment to the Montreal Protocol on materials depleting the ozone layer for the year 1987.

-- Draft law approving documents on the 23rd Conference of the International Postal Union held in Bucharest, Romania in 2004.

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-- Draft law agreeing to a unified law for combating and preventing dumping among GCC countries.

-- Draft law approving several resolutions issued by the Arab League Council.

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